


[illegible]

09512404-0200

I am authorized to act on behalf of assignee PHARMACIA CORPORATION.

  
Jon H. Beusen  
Registration No. 30,610  
PHARMACIA CORPORATION

**Jon H. Beusen**  
Intellectual Property Counsel  
Authorized to sign this document for  
Pharmacia Corporation (formerly Monsanto Company)  
by resolution dated February 25, 2000  
of the Board of Directors

Return to:  
Dennis R. Hoerner, Jr.,

Monsanto Company  
700 Chesterfield Village Parkway  
St. Louis, Missouri 63198

Express Mail Certificate # 0484568, mailed 6/25/90  
S No.

## ASSIGNMENT

Filed

07 543236

WHEREAS, We Gerard Francis Barry and Ganesh Murthy Kishore

of 6350 Waterman, St.

Louis, Missouri 63130 and 15354 Grantley Drive, Chesterfield, Missouri 63017,  
respectively

have invented certain improvements in GLYPHOSATE TOLERANT PLANTS

identified as 38-21(10518)A

and described in a patent application executed by us on the date S set after our signature S hereto; and

WHEREAS, Monsanto Company, of St. Louis, Missouri, a corporation of the State of Delaware, is desirous of acquiring the entire right, title and interest in and to said invention or inventions and any and all patents to be obtained therefor;

NOW, THEREFORE, in consideration of Five Dollars (\$5.00), the receipt of which is hereby acknowledged, and other valuable consideration, we do hereby sell, assign and transfer unto said Monsanto Company, its successors and assigns, the entire right, title and interest in and to said invention or inventions, as described in the aforesaid application, in any form or embodiment thereof, and in and to the aforesaid application; and in and to any applications filed in any foreign country based thereon, including the right to file said foreign applications under the provisions of the International Convention; also any improvements on said invention or inventions now or hereafter made by us during the period of our employment; also the entire right, title and interest in and to any and all patents or reissues or extensions thereof to be obtained in this or any foreign country upon said invention, inventions, or improvements and any divisional, continuation, continuation-in-part or substitute applications which may be filed upon said invention, inventions, or improvements in this or any foreign country; and we hereby authorize and request the issuing authority to issue any and all patents on said application or applications to said Monsanto Company, as assignee of the entire interest.

We further agree, without any payment by Monsanto Company other than expenses incurred by the undersigned, to communicate to said Monsanto Company, its representatives or agents, any facts relating to said invention, inventions or improvements, including evidence for interference purposes or for other legal proceedings, whenever requested; testify in any interference or other legal proceedings, whenever requested; and execute and deliver, on request, all lawful papers required to make any of the foregoing provisions effective.

IN TESTIMONY WHEREOF, we have hereunto set our hand S and seal S on the date S  
set after our signature S

(L. S.) Gerard Francis Barry June 25 1990

(L. S.) Ganesh Murthy Kishore June 25 1990

(L. S.) 19

State of Missouri  
County of St. Louis } ss.

On this 25th day of June, 1990, before me personally appeared

Gerard Francis Barry and Ganesh Murthy Kishore  
to me known to be the person S described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed. In testimony whereof I have hereunto set my hand and official seal the day and year last above written.

(seal)

ROBERT R. BARBER  
NOTARY PUBLIC STATE OF MISSOURI  
ST. LOUIS COUNTY  
MY COMMISSION EXPI. OCT. 28, 1990

Margaret R. Barber  
Notary Public.

My Commission expires

State of  
of } ss.

RECORDED  
PATENT AND TRADEMARK  
OFFICE

JUN 25 1990

On this day of 19, before me personally appeared

to me known to be the person described in and who executed the foregoing instrument, and acknowledged that executed the same as free act and deed. In testimony whereof I have hereunto set my hand and official seal the day and year last above written.

(seal)

Notary Public.

My Commission expires

00612404-1070700

REF 5387 FRANK 079

#1 717370

Return to:  
Dennis R. Hoerner, Jr.  
Monsanto Company  
700 Chesterfield Village Parkway  
St. Louis, Missouri 63198

Serial No.  
Filed

### ASSIGNMENT

WHEREAS, we, Gerard Francis Barry and Ganesh Murthy Kishore of 6350 Waterman Avenue, St. Louis, Missouri 631301, and 5354 Grantley Drive, Chesterfield, Missouri 63017, have invented certain improvements in GLYPHOSATE TOLERANT PLANTS identified as 38-21(10533)A and described in a patent application executed by us on the dates set after our signatures hereto; and

WHEREAS, Monsanto Company, of St. Louis, Missouri, a corporation of the State of Delaware, is desirous of acquiring the entire right, title and interest in and to said invention or inventions and any and all patents to be obtained therefor;

NOW, THEREFORE, in consideration of five dollars (\$5.00), The receipt of which is hereby acknowledged, and other valuable consideration, we do hereby sell, assign and transfer unto said Monsanto Company, its successors and assigns, the entire right, title and interest in and to said invention or inventions, as described in the aforesaid application, in any form or embodiment thereof, and in and to the aforesaid application; and in and to any applications filed in any foreign country based thereon, including the right to file said foreign applications under the provisions of the International Convention; also any improvements on said invention or inventions now or hereafter made by us during the period of our employment; also the entire right, title and interest in and to any and all patents or reissues or ex-divisional, continuation, continuation-in-part or substitute applications which may be filed upon said invention, inventions, or improvements in this or any foreign country; and we hereby authorize and request the issuing authority to issue any and all patents on said application or applications to said Monsanto Company, as assignee of the entire interest.

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IN TESTIMONY WHEREOF, we have hereunto set our hands and seals on the dates set after our signatures.

(LS) Gerard Francis Barry, June 21 1991

(LS) Ganesh Murthy Kishore, June 21 1991

(LS) \_\_\_\_\_, 19

State of Missouri }  
County of St. Louis } ss

On this 21st day of June, 1991, before me personally appeared Gerard Francis Barry and Ganesh Murthy Kishore, to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed. In testimony whereof I have hereunto set my hand and official seal the day and year last above written.

(seal)

Notary Public

My Commission expires:

MARGARET R. HARBER  
NOTARY PUBLIC STATE OF MISSOURI  
ST. LOUIS COUNTY  
MY COMMISSION EXP OCT 28, 1994

State of Missouri }  
County of St. Louis } ss

RECORDED  
PATENT & TRADEMARK OFFICE

JUN 24 91

On this \_\_\_ day of \_\_\_, 1990, before me personally appeared \_\_\_\_\_ to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed. In testimony whereof I have hereunto set my hand and official seal the day and year last above written.

(seal)

Notary Public

My Commission expires: \_\_\_\_\_

REL 5839 FRM 987

**PATENT**  
**38-21(10533)A**

NEW APPLICATION

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF

**GERARD FRANCIS BARRY and  
GANESH MURTHY KISHORE and**

**GROUP ART UNIT:**

**SERIAL NUMBER:**

**EXAMINER:**

**FILED: JUNE 24, 1991**

**JUNE 24, 1991**

**TITLE: GLYPHOSATE TOLERANT PLANTS**

Commissioner of Patents and Trademarks  
Washington, D. C. 20231  
Sir:

**Transmitted herewith for filing is the patent application of:**

**INVENTOR: GERARD FRANCIS BARRY and GANESH MURTHY KISHORE**

**TITLE: GLYPHOSATE TOLERANT PLANTS**

**Enclosed are:**

- ☒ Abstract, Specification, Claims and attached Declaration.
- ☒ An Assignment of the invention to Monsanto Company, 700 Chesterfield Village Parkway, St. Louis, Missouri 63198 for recordation.

**Also enclosed are:**

- ☒ 14 sheets of 12 formal drawings.
- ☐ A certified copy of application.
- ☐ Prior Art Statement (37 CFR 1.97)

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01 SEP 19 AM 8:17  
FIELD VILLAGE PARK  
ASSIGNMENT BRANCH

REEL 5839 FRAME 986



**REISSUE APPLICATION BY THE ASSIGNEE,  
OFFER TO SURRENDER PATENT**

Docket Number (Optional)

**MONY:140**

This is part of the application for a reissue patent based on the original patent identified below.

Name of Patentee(s):

**Gerard F. Barry and Ganesh M. Kishore**

Patent Number

**U.S. Patent No. 5,776,760**

Date Patent Issued

**July 7, 1998**

Title of Invention

**Glyphosate Tolerant Plants**

Pharmacia Corporation is the assignee of the entire interest in the original patent.

I offer to surrender the original patent.

☒ A certificate under 37 CFR 3.73(b) is attached.

I am authorized to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this declaration is directed.

Name of assignee

**Pharmacia Corporation**

Signature of person signing for assignee

Date

*Jon H. Beusen*

*Sept. 5, 2000*

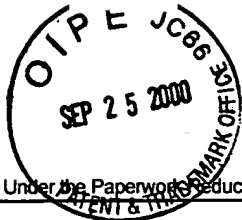
Typed or printed name and title of person signing for assignee

**Jon H. Beusen**

**Jon H. Beusen  
Intellectual Property Counsel  
Authorized to sign this document for  
Pharmacia Corporation (formerly Monsanto Company)  
by resolution dated February 25, 2000  
of the Board of Directors**

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

002020-10421960



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**REISSUE APPLICATION DECLARATION BY THE INVENTORS**Docket Number (Optional)  
MONY:140

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 5,776,760, granted July 7, 1998, and for which a reissue patent is sought on the invention entitled "Glyphosate Tolerant Plants," the specification of which

☐ is attached hereto.☒ was filed on July 7, 2000 as reissue application number 09/612,404  
and was amended by preliminary amendment filed on \_\_\_\_\_.

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.☐ by reason of other errors.


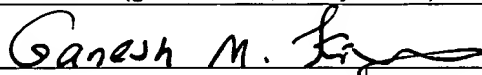
At least one error upon which reissue is based is described as follows:

The claims issued in U.S. Patent No. 5,776,760 did not claim or specifically claim certain DNA sequences, e.g., SEQ ID NOS:4, 6, 7, 8, and 17.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)					Docket Number (Optional) <b>MONY:140</b>	
All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.						
Name(s)			Registration Number			
Janelle D. Waack			36,300			
Melinda L. Patterson			33,062			
Correspondence Address: Direct all communications about the application to:						
<input type="checkbox"/> Customer Number		<div style="border: 1px solid black; width: 150px; height: 30px;"></div>		→		Place Customer Number Bar Code Label here
OR		Type Customer Number here				
<input checked="" type="checkbox"/> Firm or Individual Name	Howrey Simon Arnold & White, LLP					
Address	750 Bering Drive					
Address						
City	Houston	State	TX	ZIP	77057-2198	
Country	USA					
Telephone	(713) 787-1400	Fax	(713) 787-1440			
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.						
Full name of sole or first inventor (given name, family name): <b>Gerard F. Barry</b>						
Inventor's Signature						
Residence Address:			Date:			
5555 Pershing Avenue, #2E			Sept. 05, 2000			
St. Louis, Missouri 63112						
Post Office Address (if different from above):			Citizenship:			
			Republic of Ireland			
Full name of second joint inventor (given name, family name): <b>Ganesh M. Kishore</b>						
Inventor's Signature						
Residence Address:			Date:			
11966 Sackston Ridge Drive			Sept 08, 2000			
Creve Coeur, Missouri 63141						
Post Office Address (if different from above):			Citizenship:			
			United States			





**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

DATE: 10/08/91

TO:

DENNIS R. HOERNER, JR.  
MONSANTO COMPANY-BB4F  
700 CHESTERFIELD VILLAGE PARKWAY  
ST. LOUIS, MO 63198

**UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

**OCT 29 1991**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE U.S. PATENT AND TRADEMARK OFFICE ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

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ASSIGNOR:

BARRY, GERARD F.

DOC DATE: 06/21/91

ASSIGNOR:

KISHORE, GANESH M.

DOC DATE: 06/21/91

RECORDATION DATE: 06/24/91    NUMBER OF PAGES 002    REEL/FRAME 5839/0986

DIGEST :ASSIGNMENT OF ASSIGNORS INTEREST

ASSIGNEE:

MONSANTO COMPANY, A CORP. OF DE

SERIAL NUMBER	7-717370	FILING DATE	06/24/91
PATENT PATENT		ISSUE DATE	00/00/00

XC JS

717370

Serial No.  
Filed

Return to:  
Dennis R. Hoerner, Jr.  
Monsanto Company  
700 Chesterfield Village Parkway  
St. Louis, Missouri 63198

### ASSIGNMENT

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IN TESTIMONY WHEREOF, we have hereunto set our hands and seals on the dates set after our signatures.

(LS) Gerard Francis Barry, June 21 1991

REF 5839 FRAME 987



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231



SEP 27 1990

TO: DENNIS R. HUGHER JR.  
MONSANTO COMPANY -BB4F  
700 CHESTERFIELD VILLAGE PARKWAY  
ST. LOUIS, MO 63198

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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NUMBER REFERENCED BELOW. A DIGEST OF THE DOCUMENT HAS ALSO BEEN MADE  
AND APPEARS IN THE OFFICE'S RECORDS AS SHOWN:

ASSIGNOR: 001 BARRY, GERARD F.  
ASSIGNOR: 002 KISHORE, GANESH M.

DOC DATE: 06/25/90  
DOC DATE: 06/25/90

RECORDATION DATE: 06/25/90 NUMBER OF PAGES 002 REEL/FRAME 5387/0078

DIGEST: ASSIGNMENT OF ASSIGNORS INTEREST

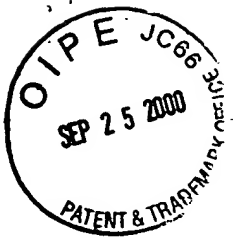
ASSIGNEE: 501 MONSANTO COMPANY, ST. LOUIS, MO, A CORP. OF DE

SERIAL NUMBER 7-543236 FILING DATE 06/25/90  
PATENT NUMBER ISSUE DATE 00/00/00

002020-4042950

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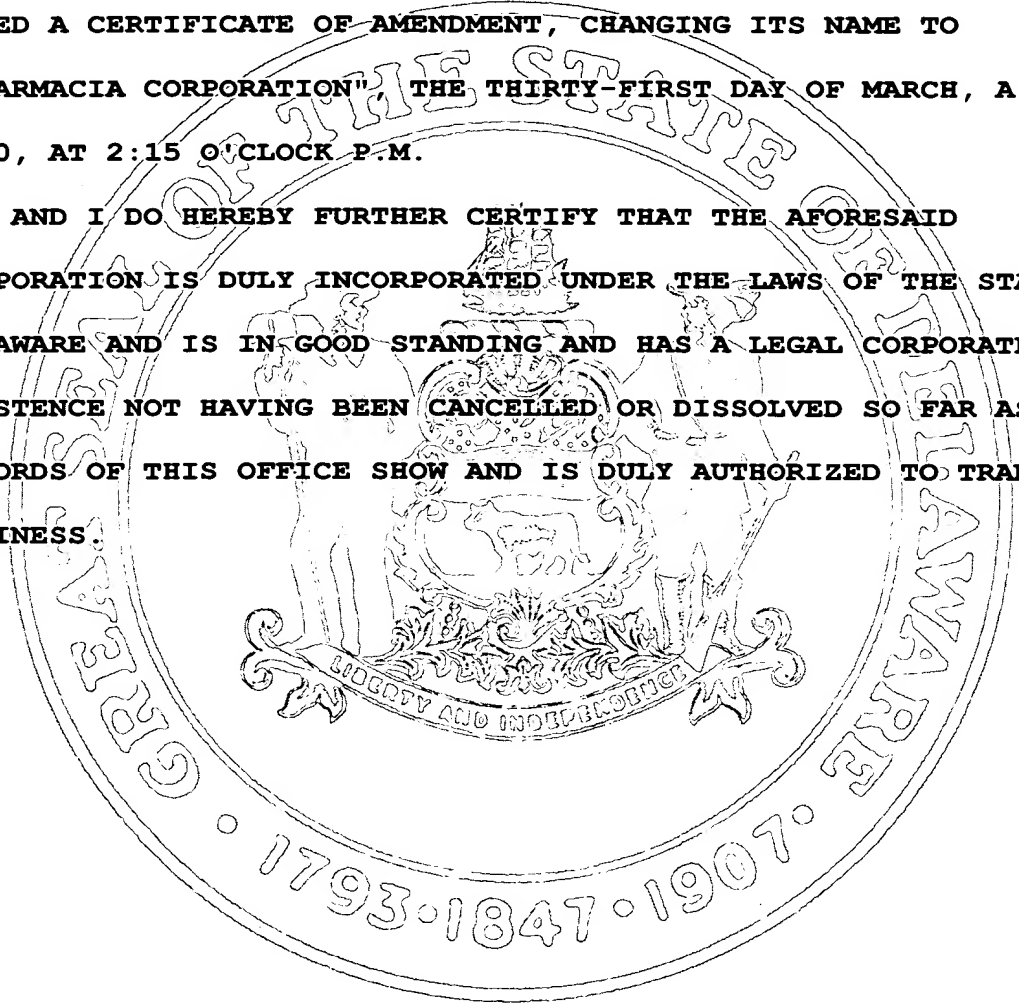


State of Delaware  
Office of the Secretary of State

PAGE 1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THAT THE SAID "MONSANTO COMPANY", FILED A CERTIFICATE OF AMENDMENT, CHANGING ITS NAME TO "PHARMACIA CORPORATION" THE THIRTY-FIRST DAY OF MARCH, A.D. 2000, AT 2:15 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE AFORESAID CORPORATION IS DULY INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL CORPORATE EXISTENCE NOT HAVING BEEN CANCELLED OR DISSOLVED SO FAR AS THE RECORDS OF THIS OFFICE SHOW AND IS DULY AUTHORIZED TO TRANSACT BUSINESS.



*Edward J. Freel*

Edward J. Freel, Secretary of State

0341113 8320

001222724

AUTHENTICATION:

0413788

DATE:

05-02-00

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**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

DATE: 10/08/91

TO:

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MONSANTO COMPANY-BB4F  
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ST. LOUIS, MO 63198

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BARRY, GERARD F.

DOC DATE: 06/21/91

ASSIGNOR:  
KISHORE, GANESH M.

DOC DATE: 06/21/91

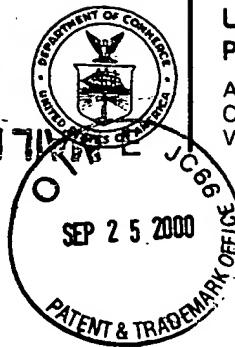
RECORDATION DATE: 06/24/91    NUMBER OF PAGES 002    REEL/FRAME 5839/0986

# DIGEST :ASSIGNMENT OF ASSIGNORS INTEREST

ASSIGNEE:  
MONSANTO COMPANY, A CORP. OF DE

SERIAL NUMBER	7-717370	FILING DATE	06/24/91
PATENT PATENT		ISSUE DATE	00/00/00

XC JS



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
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Washington, D.C. 20231

SEP 27 1990

TO: DENNIS R. HOERNER, JR.  
MONSANTO COMPANY -BB4F  
700 CHESTERFIELD VILLAGE PARKWAY  
ST. LOUIS, MO 63198

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002020-40421960

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